

Attorney Docket No.: 9342.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Per Ogren	Confirmation No.: 2409
Serial No.: 10/519,130	Group Art Unit: Not yet assigned
Filed: December 22, 2004	Examiner: Not yet assigned
For: GRAPHICAL USER INTERFACE FOR EXPANDABLE MENUS	

January 15, 2008

MAIL STOP PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SECOND DECLARATION IN SUPPORT OF  
PETITION UNDER 37 C.F.R. § 1.181**

Sir:

I, Phyllis Hines, am employed by and serve as the U.S. Docket Administrator for Myers Bigel Sibley & Sajovec, P.A., ("MBSS") representative for Applicant. Pursuant to the ordinary course of our business, I receive, carefully inspect, and enter docketing information for every piece of incoming mail from the United States Patent and Trademark Office ("USPTO") into a computerized docketing database system maintained by MBSS. I have reviewed the records of the docketing database system and have determined that there is no record entry indicating that MBSS received the Notification of Missing Requirements mailed by the USPTO on September 18, 2006 in the above matter (the Non-Received Office Action). The Non-Received Office Action set a two month period for reply of November 18, 2006. Therefore, I have caused to be produced a copy of our docket report for all actions due on November 18, 2006, a copy of which is attached hereto.

Therefore, based on the above, it is my conclusion that the mailed Notification of Missing Requirements, dated September 18, 2006, was not received by MBSS.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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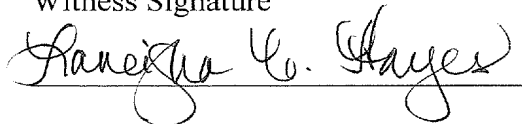
Respectfully submitted,



Phyllis M. Hines, CP, NCCP  
National Certified Paralegal  
North Carolina Certified Paralegal  
U.S. Docket Administrator

Date: Jan. 15, 2008

Witness Signature



Date: Jan. 15, 2008

Case Number	Type	App. No.	File Date	Action Due	Due Date	Indicator	Date Taken
05051.00663	NP	10/533625	03-May-2005	Declaration Due - Nat'l Phase	18-Nov-2006	Due Date	11-Apr-2007
05051.00751PR	PRO	60/832922	24-Jul-2006	Resp. to Miss. Pts. - PRO	18-Nov-2006	Due Date	24-Apr-2007
05218.00088	ORD	10/068016	05-Feb-2002	Certificate of Corr. rec'd?	18-Nov-2006	Due Date	30-Jan-2006
05308.00275	ORD	10/818912	06-Apr-2004	Appeal Brief Due	18-Nov-2006	Due Date	17-Nov-2006
05308.00395	ORD	10/790406	01-Mar-2004	1st Extension - OA	18-Nov-2006	Due Date	02-Oct-2006
05308.00412DV	DIV	11/436745	18-May-2006	Filing Receipt Rec'd	18-Nov-2006	Due Date	22-Jun-2006
05308.00414	ORD	10/929226	30-Aug-2004	PUB. FEE Due in 2 Months	18-Nov-2006	Reminder	22-Dec-2006
05308.00414	ORD	10/929226	30-Aug-2004	ISSUE FEE DUE in 2 Months	18-Nov-2006	Reminder	22-Dec-2006
05308.00500	ORD	11/132355	18-May-2005	FILE PAPER STATUS INQUIRY	18-Nov-2006	Due Date	01-Jan-1111
05308.00501	ORD	11/131509	18-May-2005	FILE PAPER STATUS INQUIRY	18-Nov-2006	Due Date	01-Jan-1111
05308.00502	ORD	11/131880	18-May-2005	FILE PAPER STATUS INQUIRY	18-Nov-2006	Due Date	01-Jan-1111
05308.00510	ORD	11/132619	18-May-2005	FILE PAPER STATUS INQUIRY	18-Nov-2006	Due Date	01-Jan-1111
05308.00631PR	PRO	60/738305	18-Nov-2005	Filing Due	18-Nov-2006	Final	01-Jan-1111
05308.00631PR	PRO	60/738305	18-Nov-2005	Foreign Filing Due	18-Nov-2006	Final	17-Nov-2006
05308.00632	ORD	11/368976	06-Mar-2006	Bar Date to File Application	18-Nov-2006	Final	06-Mar-2006
05308.00632	ORD	11/368976	06-Mar-2006	Foreign Filing Due	18-Nov-2006	Due Date	17-Nov-2006
05308.00668	ORD	11/601295	17-Nov-2006	Foreign Filing Due	18-Nov-2006	Final	17-Nov-2006
05308.00669	ORD	11/600642	16-Nov-2006	Foreign Filing Due	18-Nov-2006	Final	17-Nov-2006
05308.00706	ORD	11/601504	17-Nov-2006	Foreign Filing Due	18-Nov-2006	Final	17-Nov-2006
05405.00254	ORD	09/803492	09-Mar-2001	Report Abandonment to Client?	18-Nov-2006	Due Date	10-Nov-2006
05405.00300	RCE	10/386355	11-Mar-2003	Appeal Brief Due in 1 Month	18-Nov-2006	Reminder	01-Jan-1111
05458.00314	ORD	10/946599	21-Sep-2004	1 Month to Due Date - OA	18-Nov-2006	Due Date	01-Feb-2007
05458.00315	ORD	10/952636	29-Sep-2004	1st Extension - Final OA	18-Nov-2006	Due Date	18-Oct-2006
05458.00333	ORD	11/282137	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	11-Dec-2006
05460.00021CX	CPA	08/683716	18-Jul-1996	Tax 7.5	18-Nov-2006	Due Date	07-Nov-2006
05576.00130	ORD	09/951200	13-Sep-2001	Report Abandonment to Client?	18-Nov-2006	Due Date	25-Oct-2006
05646.00087	CIP	10/959534	06-Oct-2004	3 Month Due Date - Final OA	18-Nov-2006	Due Date	01-Jan-1111
05646.00113IP	CIP	11/217195	01-Sep-2005	PUB. FEE Due in 2 Months	18-Nov-2006	Reminder	24-Oct-2006
05646.00113IP	CIP	11/217195	01-Sep-2005	ISSUE FEE DUE in 2 Months	18-Nov-2006	Reminder	24-Oct-2006
05649.00814CT2	RCE	10/924484	24-Aug-2004	6 Month Final - OA	18-Nov-2006	Final	18-Aug-2006
05649.01132	RCE	10/629407	29-Jul-2003	STATUS INQ - FINAL OA	18-Nov-2006	Due Date	21-Nov-2006

05649.01189DV	DIV	11/401031	10-Apr-2006	Final - Declaration	18-Nov-2006	Final	28-Sep-2006
05649.01223	ORD	10/827931	20-Apr-2004	FINAL OA Resp. to recv Adv Act	18-Nov-2006	Due Date	09-Nov-2006
05649.01361	ORD	11/021040	23-Dec-2004	1st Extension - OA	18-Nov-2006	Due Date	12-Oct-2006
05649.01408	ORD	11/002034	02-Dec-2004	3 Month Due Date - OA	18-Nov-2006	Due Date	17-Nov-2006
05649.01440	ORD	11/005821	07-Dec-2004	1st Extension - OA	18-Nov-2006	Due Date	12-Sep-2006
05649.01554	ORD	11/177846	08-Jul-2005	1st Extension - Election	18-Nov-2006	Due Date	17-Oct-2006
05649.01601	ORD	11/132127	18-May-2005	FILE PAPER STATUS INQUIRY	18-Nov-2006	Due Date	01-Jan-1111
05649.01605	ORD	11/282237	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	05-Jan-2007
05649.01735	ORD	11/282136	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	01-Jan-1111
05649.01757	ORD	11/282368	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	16-Nov-2006
05649.01779	ORD	11/283121	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	16-Nov-2006
05649.01789	ORD	11/506515	18-Aug-2006	Information Disclosure Stmtnt	18-Nov-2006	Due Date	18-Aug-2006
05649.01934	ORD	11/424575	16-Jun-2006	Re-Submit Assignment	18-Nov-2006	Due Date	20-Nov-2006
08194.00572	RCE	10/011666	29-Oct-2001	STATUS INQ - FINAL OA	18-Nov-2006	Due Date	27-Oct-2006
08196.00011	ORD	10/457913	10-Jun-2003	PUB. FEE Due in 2 Months	18-Nov-2006	Reminder	01-Jan-1111
08196.00011	ORD	10/457913	10-Jun-2003	ISSUE FEE DUE in 2 Months	18-Nov-2006	Reminder	01-Jan-1111
08196.00016	ORD	10/720042	21-Nov-2003	6 Month Final/Appeal Date	18-Nov-2006	Final	01-Jan-1111
09008.00059	ORD	11/167760	27-Jun-2005	3 Month Due Date - OA	18-Nov-2006	Due Date	09-Nov-2006
09008.00060	ORD	11/167415	27-Jun-2005	3 Month Due Date - OA	18-Nov-2006	Due Date	08-Nov-2006
09013.00031	RCE	09/889645	19-Jul-2001	STATUS INQ - FINAL OA	18-Nov-2006	Due Date	13-Oct-2006
09013.00073	NP	10/589910	18-Aug-2006	Information Disclosure Stmtnt	18-Nov-2006	Due Date	08-Aug-2007
09022.00023CT	RCE	10/274788	21-Oct-2002	6 Month Final - OA	18-Nov-2006	Final	15-Sep-2006
09052.00162	ORD	10/678625	03-Oct-2003	6 Month Final - OA	18-Nov-2006	Final	18-Sep-2006
09052.00164	NP	10/432534	23-May-2003	Report Abandonment to Client?	18-Nov-2006	Due Date	02-Nov-2006
09052.00232	NP	10/557779	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	03-Nov-2006
09151.00045CT	CON	11/305530	16-Dec-2005	6 Month Final - OA	18-Nov-2006	Final	18-Aug-2006
09250.00005CTIP4>	RCE	10/019087	19-Dec-2001	ISSUE FEE DUE in 2 Months	18-Nov-2006	Reminder	20-Dec-2006
09250.00005CTIP4>	RCE	10/019087	19-Dec-2001	PUB. FEE Due in 2 Months	18-Nov-2006	Reminder	20-Dec-2006
09251.00002	ORD	10/606049	25-Jun-2003	Report Abandonment to Client?	18-Nov-2006	Due Date	
09305.00032	ORD	11/282905	18-Nov-2005	6 Month Final - OA	18-Nov-2006	Final	21-Jun-2006
09305.00032	ORD	11/282905	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	01-Jan-1111
09314.00066	ORD	10/822377	12-Apr-2004	1st Extension - OA	18-Nov-2006	Due Date	16-Aug-2006

09335.00039	ORD	11/283327	18-Nov-2005	PAIR Status Check	18-Nov-2006	Due Date	01-Jan-1111
09342.00376	ORD	11/450094	09-Jun-2006	2nd Extension - Declaration	18-Nov-2006	Due Date	18-Oct-2006
09342.00377	ORD	11/472786	22-Jun-2006	PCT opened?	18-Nov-2006	Due Date	13-Dec-2006
09342.00378	ORD	11/506730	18-Aug-2006	Information Disclosure Stmtnt	18-Nov-2006	Due Date	18-Aug-2006
09362.00003	ORD	10/662757	15-Sep-2003	3 Month Due Date - OA	18-Nov-2006	Due Date	22-Nov-2006
09389.00002	ORD	10/822408	12-Apr-2004	Certificate of Corr. rec'd?	18-Nov-2006	Due Date	02-Mar-2006
09400.00251	ORD	11/505589	18-Aug-2006	Information Disclosure Stmtnt	18-Nov-2006	Due Date	01-Jan-1111
09442.00026	ORD	10/380354	05-Sep-2003	6 Month Final - OA	18-Nov-2006	Final	18-Aug-2006
09442.00026	ORD	10/380354	05-Sep-2003	Decision rec'd? Req. for Recon	18-Nov-2006	Due Date	17-Nov-2006
09442.00029	ORD	09/013711	26-Jan-1998	Tax 7.5	18-Nov-2006	Due Date	19-Sep-2006
09448.00055	ORD	10/364259	11-Feb-2003	6 Month Final - OA	18-Nov-2006	Final	20-Oct-2006
09450.00019IP	CIP	10/123534	15-Apr-2002	3 Month Due Date - OA	18-Nov-2006	Due Date	15-Nov-2006
09457.00045	ORD	11/208980	22-Aug-2005	SUBSTI. DEC. Due in 2 Months	18-Nov-2006	Reminder	18-Oct-2006
09457.00052	ORD	11/230442	20-Sep-2005	PUB. FEE Due in 2 Months	18-Nov-2006	Reminder	02-Jan-2007
09457.00052	ORD	11/230442	20-Sep-2005	ISSUE FEE DUE in 2 Months	18-Nov-2006	Reminder	02-Jan-2007
09457.00079DS	DES	29/265224	28-Aug-2006	FEES to be Paid - MP	18-Nov-2006	Due Date	14-Dec-2006
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09457.00081DS	DES	29/265235	28-Aug-2006	Declaration	18-Nov-2006	Due Date	14-Dec-2006
09457.00081DS	DES	29/265235	28-Aug-2006	FEES to be Paid - MP	18-Nov-2006	Due Date	14-Dec-2006
09458.00010	ORD	10/630265	30-Jul-2003	1 Month to Due Date - OA	18-Nov-2006	Due Date	05-Dec-2006
09458.00055	ORD	11/436824	18-May-2006	Assignment submitted to PTO?	18-Nov-2006	Due Date	18-May-2006
09458.00055	ORD	11/436824	18-May-2006	Filing rcpt rec'd?	18-Nov-2006	Reminder	12-Jun-2006
09510.00016IP	CIP	11/406100	18-Apr-2006	Final - Declaration	18-Nov-2006	Final	27-Jun-2006
09510.00016IP	CIP	11/406100	18-Apr-2006	6th Month Final - Fees/MP	18-Nov-2006	Final	27-Jun-2006
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09510.00026PR	PRO	60/779210	03-Mar-2006	Last Regular Filing Reminder	18-Nov-2006	Due Date	28-Nov-2006
09510.00026PR	PRO	60/779210	03-Mar-2006	Last Foreign Filing Reminder	18-Nov-2006	Due Date	28-Nov-2006
09630.00027	ORD	11/402159	10-Apr-2006	Final - Declaration	18-Nov-2006	Final	07-Sep-2006
09630.00027	ORD	11/402159	10-Apr-2006	6 Month Final - Frml Drgs/MP	18-Nov-2006	Final	07-Sep-2006
09630.00028	ORD	11/401805	10-Apr-2006	Final - Declaration	18-Nov-2006	Final	07-Sep-2006